

8/23/01

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ROANOKE CALENDAR - AUGUST 27, 2001**

**(The Honorable William F. Stone Jr. Presiding)**

( Start \_\_\_\_\_ Recess \_\_\_\_\_ / \_\_\_\_\_ Stop \_\_\_\_\_ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_ )

**Attys: Debtors: Case Nos.: Trustees:**

**9:30 A. M. - PRE-TRIALS IN COURTROOM**

H Brown	WILLIAM CORDARO-ch7	7-01-01352	Creasy/SO
	A/P 7-01-00078: Determine dischargeability		
	Citibank South Dakota NA (Fitzpatrick) v. debtor		

**10:00 A. M. - PRE-CONF. PLANS & RELATED HEARINGS**

Shelor	APRIL KEELING	7-01-02480	Connelly/AF
	Plan d/e # 6, filed 6/4		
	<b>Objection:</b> Trustee w/report and Motion re: Dismissal; filed 7/20; d/e # 15		

Krippendorf	MARY TAYLOR	7-01-02517	Connelly/NS
	Plan filed 6/5; d/e # 6		
	<b>Objection:</b> Trustee w/Report & Showcause on Dismissal, filed 7/20; d/e # 14		

Motion for valuation: Loveseat: Schewel Furn Co. \$300 d/e # 15

Katt	JULIA SHORT-converted to chl3 6/8/01	7-00-04054	Connelly/MC
	Plan filed 6/22; d/e # 33		
	<b>Objection:</b> Trustee w/Report and Motion on Dismissal, filed 7/20; d/e # 38		
	<b>Objection:</b> Trustee w/Report & Showcause on Dismissal, filed 8/8; d/e # 40		

**10:00 A. M. - PRE-CONF. PLANS & RELATED HEARINGS**

Krippendorf LISA SCHERREP-chl3 7-01-02516 Connelly/JJ  
Plan filed 6/5; d/e # 6  
**Objection:** Trustee w/Report and Motion on Dismissal, filed 7/20; d/e # 14

**10:00 A. M. - PRE-CONF. PLANS & RELATED HEARINGS**

Delafield CLAUDIA TERRELL-chl3 7-01-02521 Connelly/VS  
Plan filed 7/6; d/e # 12; contd from 8/27  
**Objection:** Trustee w/Report and Motion on Dismissal, filed 7/20; d/e # 16  
**Objection:** Trustee w/Report and Motion on Dismissal, filed 8/8/ d/e # 18

**10:30 A. M. - MODIFIED PLANS & RELATED HEARINGS**

M Hart ERNEST WALKER 7-01-02557 Connelly/BP  
contd from bench 8/27  
Mod Plan filed 7/3; d/e # 15 with certificate of service  
**Objection:** Trustee w/Report & Showcause on Dismissal, filed 7/20; d/e # 19  
Trustee w/Report & Showcause on Dismissal, filed 8/8; d/e # 21  
Va.Housing Dev. Authority (Wade) on 8/10; d/e # 23

Motion of Debtors to suspend payments filed 8/10 d/e # 24

Motion for valuation: Travelers Acceptance Corp :Vacuum, d/e # 18, filed 7/13

*(Note: obj to claim of United Mortgage filed & set for 9/10 @ 11)*

P Brown CHARLIE & JULIA ARTRIP-chl3 7-00-04136 Connelly/JJ  
Mod Plan filed 6/28; d/e # 22, 26

Krippendorf CURTIS TINSLEY - Ch. 13 7-01-00334 Connelly/PR  
Mod Plan filed 5/22 d/e # 36 -contd fr 7/16

(if current & tr can recommend conf. Appearance of dbtr waived)  
Roanoke Calendar - 8/27/01

**10:00 A. M. - MODIFIED PLANS & RELATED HEARINGS**

M Hart      GEORGE & JAMIA IONESCU      7-00-01879      Connelly/NS  
Mod Plan filed 4/27; d/e # 73 (IRS obj dismissed); **contd fr 6/25**  
contd from 7/30 (appearance of dbtrs waived orally IF tr.can recommend conf)

Motion of Trustee to showcause why case should not be dismissed filed 8/10; d/e#90

**11:00 A. M. - MISCELLANEOUS HEARINGS**

M. Hart      CORNELIUS & ANGELIA SANDERS - CH. 13      7-99-00835      Connelly/MC  
Trustee's Motion to Show Cause for Dismissal or Conversion to Ch. 7 – d/e # 71  
–contd fr 8/27 to monitor case

Katt      BASIL BRATTON-chl3      7-96-00378      Connelly/AF  
Trustee's Motion to dismiss/convert , d/e # 33  
== contd from 6/11; if bal due on case paid in interim, trustee will file final report &  
cancel hearing ; contd from 7/16 to cure arrears in 30 days (from 7/16)  
–contd 8/27 for additional 30 days to make \$250 pmt bal.needed to complete plan

Magee      CALVIN GRAY-chl3      7-99-01711      Connelly/VS  
Trustee Motion to dismiss/convert ; d/e # 34; only owes balance of  
\$243.00 ; contd fr 6/25  
**–ORDER of 7/31 dismissed trustee's motion; cancels hearing**

M Hart      CHARLES BURNETTE-chl3      7-00-00360      Connelly/JJ  
Contd hearing on Trustee Motion to dismiss, d/e # 36, 37, 38  
(note: mod plan filed 8/10 and set for 9/24 @ 10 conf)

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Delafield      MICHAEL & MELANIE HUNT-chl3      7-00-03479      Connelly/NS  
Motion to suspend payments to trustee for August, Sept. Nd Oct, 2001 filed 7/26 d/e # 42

Motion #1: Relief - filed 7/13; d/e # 40 (no pho/less than 20-day notice)  
Option One Mortgage Corp (J.Clarke) v. debtors & trustee; contd fr 7/30

Delafield      BUFORD & DEBORAH PRICE-chl3      7-99-03762      Connelly/SJ  
Motion of Debtors to reconsider dismissal of case filed 7/26; d/e # 86; ntc filed 7/31,  
d/e # 87

Delafield      BARBARA HARRIS-chl3      7-01-00237      Connelly/NS  
Motion of counsel for debtor for compensation of \$403.00 filed 8/7, d/e # 55

Small      ROBERT CALLAHAN-chl3      7-01-02565      Connelly/MC  
Motion to VOID judgment: in amt of \$4,900.00 entered on 6/20/01 by this  
court in Case #7-00-03531-RKR-7; filed 6/25; ntc filed 7/16; d/e # 13, 14, 15  
(note: ch 13 conf set 9/10 @ 10 w/tr.s-c)

*Note: Judge Krumm's Order of 7/18 consolidated case #7-00-03531-RKR-7 with this  
case 01-02565-WSR with all future docket entries to be in the within case)*

Allen      JOSEPH & ROMAIN ANDERSON-chl3      7-01-00153      Connelly/.PR  
Objection( amended) to claim #1 of American General Finance d/e # 41, filed 7/5

Obj to claim #2: Va. Dept of Taxation, d/e # 37

Obj to Claim #9, Roanoke Mem. Hospital, d/e # 41, filed 7/5  
Response filed by hospital (D. Woody) on 8/1; d/e # 45

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Dickenson      PAMELA BOWMAN - Ch. 13      7-99-00551      Connelly/VS  
Motion #1: Relief; amended notice filed 7/13; d/e # 26  
MidFirst Bank (Zimm) v. Debtor & Trustee – d/e # 21  
–Answer of debtor filed 7/18; d/e # 27; contd fr 7/30 w/agr to cure arrears

M. Hart      ANTOINETTE HARBOR - Ch. 13      7-01-01799      Connelly/SJ  
Motion # 1: Relief from Stay & Co-Debtor Stay; contd from 7/30  
Ocwen Financial Services (      ) v. Debtor & Co-Debtor, David L. Harbor  
(Pre-hearing order mailed 7/9)

Giles      AMANDA HARLESS-chl3      7-00-02067      Connelly/NS  
Motion #4: Relief - filed 8/2/01; d/e # 50, 51  
Salem Bank & Trust (Stark) v. debtor & trustee  
–Relief ORDER entered 8/21; d/e # 53

**CASE dismissed 8/21/01, d/e # 54, failure to comply w/6/12 order and pursuant to 8/20 notice of default filed by trustee**

Fleishchhauer CHARLES & LEA LINEBERRY-chl3      7-99-03112      Connelly/SJ  
Response & Notice of Hearing by Debtors to Notice of Default (with Request to Modify Order conditioning Stay (Fleischhauer) filed 8/3; d/e # 69, 70  
Re: Ford Motor Credit (Laura Hale) ;

M/R1:9/10@11

Krippendorf      JIMMIE SINK-ch7      7-01-01453      Creasy/PR  
Motion #1: Avoid lien filed 6/29; d/e # 13, 14  
Debtor v. Citifinancial Inc (Kauffman, R/A)

**11:00 A. M. - MISCELLANEOUS HEARINGS**

T.Giles	DONALD MARTIN-chl3	7-01-00312	Connelly/SJ
	Motion #1: Relief - filed 6/21; d/e # 21, 22, 23 Bank of America (Zimm/Dowd/Huebschmann) v. debtor & trustee ( <i>Response filed by Debtor</i> ); contd fr 7/16		
Hart	ROBERT & SANDRA SMITH=chl3	7-00-04090	Connelly/NS
	Motion #2: Relief - filed 6/21 ; contd fr 8/27 D/e # 46 , 47, 48 Meritech Mortgage Services (Clarke/Callahan) v. debtors & trustee; contd fr 7/16		
Krippendorf	MARY F WORKMAN-ch7	7-01-01746	Vogel/JJ
	Motion #1: Avoid lien Debtor v Citifinancial, Inc. & trustee		
Krippendorf	ANNE DARROW-ch7	7-01-01711	Vogel/VS
	Motion #1: Avoid lien filed 7/18; d/e # 12, 13 Debtor v. Citifinancial Inc - <b>Default Order tendered 8/27</b>		
Dickenson	LONNIE & CONSTANCE REYNOLDS-chl3	7-00-03683	Connelly/PR
	Motion #1: Relief - filed 7/31/01; d/e # 20, 21 Schewell Furn Co Inc (Clark) v. debtors & trustee  - <b>Default ORDER entered 8/24/01</b>		
Krippend.	BRIDGET JOHNSON-chl3	7-00-01839	Connelly/PR
	Motion #2: Relief - filed 7/30; d/e # 47, 48 GE Capital Auto Financial Services (Eason) v. debtor & trustee ( <i>mod plan filed &amp; set 10/15 @ 9:30</i> )		

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Mayer                      TONYA GREEN-ch7                      7-01-02451                      McLean/VS  
Motion #1: Relief - filed 7/30; d/e # 11, 12  
First Citizens Bank (Zimm) v. debtor & trustee  
Answer of Responsent filed 8/6; d/e # 14; Stmt of Adequate Protection filed 8/6; d/e # 15

(T/mdis 9/24@2)

Krippend.                      IRVIN MILLER SR-chl3                      7-01-01363                      Connelly/PR  
Motion #1: Relief - filed 7/30; d/e # 25, 26  
Va. Housing Development authority (Wade) v. debtor & trustee  
RESPONSE filed by Debtor 8/10

*(note: mod plan filed 8/22 set 10/15 @ 9:30)*

P Brown                      REBECCA KIDD-ch7                      7-01-01552                      McLean/SJ  
Showcause; failure of counsel (S Dunn) to tender order on Motion #1  
styled Grand Home Furnishings Inc v. debtors heard on 7/16; d/e # 23  
*—ord recd & entered ; doesn't dismiss showcause remaining for hearing*

Katt                      JAMES NICHOLS-chl3                      7-99-02752                      Connelly/SJ  
Motion #2: Relief - filed 8/6; d/e #22, 23,(amended ntc d/e # 25)  
Mortgage Electronic Reg. Systems (Christine Patterson) v. debtor & trustee  
Answer of Debtor filed 8/8, d/e # 27

Motion #1: Relief - filed 8/6 ;from co-debtor stay d/e #20, 21 (amended by #26)  
Mortgage Electronic Reg. Systems (Christine Patterson) v. debtor , Carmen M. Nichols,  
Co-Debtor & trustee

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Creasy                      MICHAEL WELLS-chl3                      7-99-03387                      Connelly/NS  
                                 Motion #3: Relief - filed 7/30; d/e # 52  
                                 Washington Mutual Home Loans Inc (Patterson) v. debtors & Trustee  
                                 **ORDER of 8/23 granted relief (consent); cancels hearing**  
  
                                 Motion #4: Relief - from co-debtor stay  
                                 filed 7/30; d/e # 54; 55  
                                 **–Order self executing; no obj filed; d/e #56**

***See also 2:00 p.m. Trustee's show cause hearing***

Magee                      LEE CO. COMMUNITY HOSPITAL -chl1                      7-00-02304                      DIP/BP  
                                 Motion of Debtor to Use Cash Collateral to repay Government Debt  
                                 Service Reserve Fund, d/e # 387; contd from 2/27; 4/17; 5/9 & 7/9  
                                 –contd fr 8/27; sale of hosp. Closing scheduled 8/31

**2:00 P. M. - MISCELLANEOUS HEARINGS**

P Brown                      SYLVIA PRIEST                      7-00-01978                      Connelly/AF  
                                 Trustee Showcause on Dismissal, filed 7/20; d/e # 30  
  
                                 **MOTION OF DEBTOR TO CONVERT TO CH 7 FILED 8/23/01; FEE PD.**  
                                 ***(trustee showcause motion cancelled)***

Creasy                      MICHAEL WELLS-chl3                      7-99-03387                      Connelly/NS  
                                 Trustee Showcause on Dismissal, filed 7/20; d/e # 51

(11:00 hearings only were resolved & cancelled)

M Giles                      DORIS NANCE-chl3                      7-98-00411                      Connelly/VS  
                                 Trustee Motion to dismiss/convert ; d/e # 44



**2:00 P. M. - MISCELLANEOUS HEARINGS**

M Hart	MARK & TERESA KINGERY Trustee Motion to dismiss/convert ; d/e # 36 &37 <i>—further status hearing fixed in said order on 11/13/01 @ 1:00</i>	7-99-02139	Connelly/PR
M Giles	BOBBY HARPER-ch13 Debtor's Objection to Claim #3: Ocwen Federal Bank, filed 7/2; d/e # 17	7-01-02031	Connelly/VS
Shelor	MARLENE SAMPLES-ch7 Objectin of Trustee to Petition, Homestead deed and Poor Debtor Exemptions filed 8/2; d/e # 11 <b><u>(Order entered 8/20 dismissing Trustee's Objection)</u></b>	7-01-02477	Creasy/NS
Spencer	DAVID WADE-ch7 Motion #2: Relief - filed 8/1; d/e # 16, 17 Grand Home furnishings (Dunn) v. debtor & trustee	7-01-02628	Creasy/AF
Szathmary	AMANDA SAUNDERS-ch7 Motion #1: Relief - filed 8/1; d/e # 13, 14 ( <i>dischgd 8/21</i> ) VW Credit Inc (Neyhart) v. debtor & trustee	7-01-02167	Creasy/NS
Mayer	T. MICHAEL & KELLY SUMMAR-ch7 Objection of American Genearl Finance Inc (Padgett) to debtor's claim of exemptions filed 7/27; d/e # 11, 12, 13	7-01-02452	McLean/SJ

**2:00 P. M. - MISCELLANEOUS HEARINGS**

Allen                      SPANKY'S GANG, LLC - Ch. 11                      7-01-01398                      DIP/AF  
Debtor's Motion that DIP remain in possession of property leased from Simon Property Group, LP; debtor continue to make post-petition rent payments; & that the parties continue to operate under present lease agreement filed by Debtor – d/e #20 (Ronald Tucker, pro hac vice/Layman\*)

Motion #1: Relief filed 6/21; d/e # 24; 26; (#28 ntc & c/s 20 largest unsecureds) Simon Property Group, L.P. (Tucker\*/Layman) v. Debtor (amended)  
*(Answer filed by Debtor 7/2/01; d/e # 30 )*

Motion of Simon Property Group LP (Tucker/Layman) for payment of Administrative Expenses (amended) filed 6/21; d/e # 25